COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: March 15, 2011

OFFICE CORRESPONDENCE FILE NO. FO2266905

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY JASON PHILLIPPI #[redacted]
SPECIAL ENFORCEMENT BUREAU

At approximately 0015 hours, Deputies Paz and Lumpkin observed a male, Suspect Jimmy Ray Marshall, riding a bicycle during the time of darkness without a headlamp. The deputies conducted a traffic stop. Suspect Marshall stopped the bicycle, placed it on the ground and put his hands in the air.

As Deputy Paz and Deputy Lumpkin exited their marked radio car, Suspect Marshall suddenly grabbed his waistband and began running east on 92nd Street, toward Budlong Avenue. Deputy Paz gave Suspect Marshall several verbal commands to stop running, but Suspect Marshall did not comply.

As Suspect Marshall entered the intersection of 92nd Street and Budlong Avenue, Deputy Paz saw he had a handgun in his right hand. When Suspect Marshall ran down the driveway of [redacted] 92nd Street, Deputy Paz saw Suspect Marshall toss the handgun, which struck a nearby wrought iron fence and came to rest on the ground. Suspect Marshall jumped over the southwest fence of the property, out of view.

Deputy Paz and Deputy Lumpkin established a containment of the area and requested a K-9 response.

K-9 Handler Deputy Phillippi and his canine, "Kai", responded to the location and conducted an area search with Deputy Paz. At [redacted] Budlong Avenue, "Kai" alerted at a car which was parked in a carport. The canine crawled under the front of the vehicle. After a few seconds, deputies heard a male yell. Deputy Phillippi ordered the male out from under the vehicle. The male refused and Deputy Phillippi saw the canine pull free from the suspect and re-engage the suspect in front of the vehicle. Deputy Phillippi saw the canine pull the suspect out from the front of the parked vehicle.

Deputy Phillippi saw the canine had set a bite on Suspect Marshall's lower left leg. Suspect Marshall kicked the canine off of him with his right leg. As Suspect Marshall attempted to crawl back under the car, the canine reset his bite on Suspect Marshall's other leg. Deputy Phillippi ordered Suspect Marshall to move into the open. Suspect Marshall slowly moved toward the deputies, as the canine pulled him.

The deputies moved to the rear of the parked vehicle. Deputy Phillippi took physical control of the canine. Deputy Paz secured Suspect Marshall with flex cuffs, without further incident.

Paramedics responded to the scene. The suspect was subsequently transported to Centinela Hospital Medical Center where he was treated for his injuries. He was later transferred to Harbor UCLA Medical Center and released on bond.

On March 3, 2011, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Jason Phillippi, #[redacted] was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Phillippi in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:RSP/rsp

Los Angeles County Sheriff's Department
S[...]ervisor's Report on Use of [...]ce

Incident Information

URN: 9 1 0 - 0 4 6 6 7 - 0 3 7 0 - 1 5 1 | Date: 5/19/10 | Time: 0015 hours

Location: [redacted] Budlong Avenue | City or Station: Los Angeles

Bureau/Station/Facility: Office of Homeland Security/ SEB | Admin. Investigation: YES ☐ NO ☒

Type of Force: K-9 Bite

Deputy Injury : YES ☐ NO ☒ Suspect Injury YES ☒ NO ☐

☒ Call ☐ Observation ☐ Detail ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ Person Notified: Lt. Ault Emp: [redacted] IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Phillippi	Jason	

Sex: ☒ Male ☐ Female | Race: W | Unit of Assignment: SEB | Work Assignment (Unit #, Module, etc.): 240K99

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 6-00 | Weight: 215

☐ Injured ☐ Treated ☐ Admitted Hospital: ____ | Coroner Case # | Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ____ | Coroner Case # | Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

☐ Injured ☐ Treated ☐ Admitted Hospital: ____ | Coroner Case # | Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Baudino	Anthony	J.	Sgt.	YES ☒ NO ☐	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Baudino	Anthony	J.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Baudino	Anthony	J.

LIEUTENANT SERGIO MANCILLA
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

IAB SERGEANT JESSICA BROTHERS | [redacted]
Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
9 1 0 - 0 4 6 6 7 - 0 3 7 0 - 1 5 1

Suspect Information

S 1

Last Name: Marshall | First Name: Jimmy | Middle Name: Ray

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: [redacted] | Age: 36 | Height: 6-02 | D.O.B. 11-15-73 | Weight: 180 | Armed? ☒

Booking #: 2337764 | Primary Charge Code: 12031(a)(1) PC | Secondary Charge Code: 12025(b)(3) PC | Criminal History [redacted]

EMT in attendance? ☒ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☒ Rec'd Treatment At: Centinela Hospital | Coroner Case #: ______ | Mental History ☐

By Doctor: Torabi | Address: 555 E. Hardy St., Inglewood | Phone #: (310) 673-4660

Under Influence: ☐ YES ☒ NO Substance: ______ | Mental Illness ☐

Suspect Interview

Date: 05/19/2010 | Time: 0130 | ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ | Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ | Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
910-04667-0370-151

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Paz	Silvio	R.
[redacted]	Strickland	Michael	A.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	**City**	**Zip Code**	**Work Ph.**	**Home Ph.**

☐ Additional Witness

Supervisor's Report on Use of Force

91_-04667-0370-1_1

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Marshall	S#1	Phillippi	E#1	RS	NN	
Phillippi	E#1	Marshall	S#1	CN	DB	HE/LE
Marshall	S#1	Phillippi	E#1	PK	NN	

Supervisor's Report on Use of Force
9(0 - 0 4 6 6 7 - 0 3 7 0 - (5 1

Canine Deployment - Supervisor's Review

Primary Handler: Deputy Jason Phillippi	# [redacted]	Canine: Kai	Unit: 240K99
Assist Handler:	#	Canine:	Unit:
Assist Handler:	#	Canine:	Unit:
Assist Handler:	#	Canine:	Unit:

TYPE OF SEARCH

- ☒ Area
- ☐ Other:
- ☐ Building

TYPE OF INCIDENT

- ☒ Bite
- ☐ Other

BITE OCCURRED WHILE

- ☐ Apprehending Suspect
- ☒ Conducting Search
- ☐ Protecting Handler
- ☐ Other:

ANNOUNCEMENTS

- ☒ Announcements Were Made
- ☐ None (Reason): ______
- ☐ by Aero Unit
- ☒ by Radio Car
- ☒ English
- ☒ Spanish
- ☒ Recorded

Announcement Made by: ______

Criminal History	Notifications
[redacted]	Lieutenant Sergio Mancilla, Lennox Watch Commander Lieutenant Eliezer Vera, Special Enforcement Bureau Captain Marvin Washington, Special Enforcement Bureau Lieutenant Alicia Ault, Internal Affairs Bureau Chief William McSweeney, Office of Homeland Security

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IAB# FO2266905

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
SIGNIFICANT USE OF FORCE
(K-9 Bite)

UNIT:	SEB / K-9
DATE:	May 19, 2010
TIME:	0015 hours
LOCATION:	[redacted] Budlong Avenue, Los Angeles
URN#:	910-04667-0370-151

On May 19, 2010, the Internal Affairs Bureau Force and Shooting Response Team went to Lennox Station's area regarding a significant use of force incident/K-9 bite. The team consisted of Sergeant Jessica Brothers and Lieutenant Alicia Ault. At the time investigators arrived, the crime scene was not preserved. The involved personnel were at the station and the suspect was at Centinela Hospital Medical Center. Angelica Arias, Office of Independent Review, was notified of the incident but did not respond.

Investigators learned that Deputies Jason Phillippi and Silvio Paz were involved in the incident. Deputy Phillippi was working as K-9 Unit 240K99. Deputy Paz was working uniformed patrol in the Lennox Station area at the time of the incident.

This investigation is based on statements by the involved deputies, Suspect Marshall, and information obtained during the investigation, along with various written documentation.

SYNOPSIS:

Deputies Paz and his partner, Deputy Carl Lumpkin, were working Lennox Station Patrol as Unit 34 on EM shift, when they observed a male, Suspect Jimmy Ray Marshall, riding a bicycle during the time of darkness without a headlamp. The deputies conducted a traffic stop. Suspect Marshall stopped the bicycle, placed it on the ground and put his hands in the air.

As Deputy Paz and Deputy Lumpkin exited their marked radio car, Suspect Marshall suddenly grabbed his waistband and began running east on 92nd Street, toward Budlong Avenue. Deputy Paz gave Suspect Marshall several verbal commands to stop running, but Suspect Marshall did not comply.

As Suspect Marshall entered the intersection of 92nd Street and Budlong Avenue, Deputy Paz saw he had a handgun in his right hand. When Suspect Marshall ran down the driveway of [redacted] 92nd Street, Deputy Paz saw Suspect Marshall toss the handgun, which struck a nearby wrought iron fence and came to rest on the ground. Suspect Marshall jumped over the southwest fence of the property, out of view.

Deputy Paz and Deputy Lumpkin established a containment of the area and requested a K-9 response.

K-9 Handler Deputy Phillippi and his canine, "Kai", responded to the location and conducted an area search with Deputy Paz. At [redacted] Budlong Avenue, "Kai" alerted at a car which was parked in a carport. The canine crawled under the front of the vehicle. After a few seconds, deputies heard a male yell. Deputy Phillippi ordered the male out from under the vehicle. The male refused and Deputy Phillippi saw the canine pull free from the suspect and re-engage the suspect in front of the vehicle. Deputy Phillippi saw the canine pull the suspect out from the front of the parked vehicle.

Deputy Phillippi saw the canine had set a bite on Suspect Marshall's lower left leg. Suspect Marshall kicked the canine off of him with his right leg. As Suspect Marshall attempted to crawl back under the car, the canine reset his bite on Suspect Marshall's other leg. Deputy Phillippi ordered Suspect Marshall to move into the open. Suspect Marshall slowly moved toward the deputies, as the canine pulled him.

The deputies moved to the rear of the parked vehicle. Deputy Phillippi took physical control of the canine. Deputy Paz secured Suspect Marshall with flex cuffs, without further incident.

Paramedics responded to the scene. The suspect was subsequently transported to Centinela Hospital Medical Center where he was treated for his injuries. He was later transferred to Harbor UCLA Medical Center and released on bond.

No deputies were injured during the incident.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY:

<u>Deputy Jason Phillippi #</u>[redacted]

Date of Employment	<u>07/95</u>
Date assigned to Patrol	[redacted] 
Completed Patrol Training	
Prior Shooting Incident(s)	<u>Three</u> 01/05/2004, Compton Station, Hit Shooting, 9 rounds fired 09/08/2005, Compton Station, Non-Hit Shooting, 6 rounds fired 09/30/2008, SEB, Hit Shooting, 6 rounds fired
Prior Founded Force Incidents	[redacted]

SUSPECT

<u>Jimmy Ray Marshall</u>, MB/36, 11-15-73, 6-02, 180 lbs., Black/Brown
[redacted]
<u>C.I.I.#</u> [redacted] FBI # [redacted]

WEAPONS USED BY DEPUTY PERSONNEL

Canine "Kai" #P104

WEAPONS USED BY SUSPECT

Personal (feet), firearm (Jennings 9mm, semi-automatic) was recovered.

INVOLVED DEPUTY STATEMENTS

The following is a synopsis of the statements made to IAB investigators by the involved deputies. For more information, see the attached verbatim transcriptions of the witnesses.

Deputy **Jason Phillippi** was interviewed by IAB Investigators on August 25, 2010 at the IAB office. The following is a summary of Deputy Phillippi's interview.

Deputy Phillippi said he has been a canine handler at SEB for approximately three and a half years, with his canine, "Kai." On May 19, 2010, Deputy Phillippi and canine handler Deputy Gaunt responded to the scene of a foot pursuit in Lennox Station's area at 92nd Street and Budlong Avenue, where at least one suspect was believed to be hiding in an apartment complex.

Deputy Gaunt played pre-recorded canine announcements through his vehicle's PA around the containment perimeter. Approximately 15 minutes after the announcements were made, Deputy Phillippi and Deputy Gaunt began their search at the apartment complex where the suspect was last seen. After the complex's parking lot checked clear, Deputy Phillippi and Deputy Gaunt continued their search on Budlong Avenue and split their searches, with Deputy Phillippi and Deputy Paz taking the south area.

Deputy Phillippi described the first yard he searched as a property broken into three parts, with a front yard in front of a small house, and a two-story apartment with a carport area to the rear of the property. Deputy Phillippi made verbal announcements prior to searching the property. He kept the canine on its leash as they searched the open front yard, which checked okay.

Deputy Phillippi saw a side gate that opened to another yard, which was in between the front house and the rear apartment. Deputy Phillippi made additional announcements before he released the canine to search. Deputy Phillippi said the "middle yard" checked okay. In the rear of the property, there was a small parking lot with a carport over it and four or five cars parked under the carport.

Deputy Phillippi staged at the walkway that went into the parking lot and made announcements. The canine ran along the building and went to the carport area. When the canine got to the back of the carport, he dove under one of the parked cars. After a few seconds, Deputy Phillippi heard a struggle coming from under the car.

Once Deputy Phillippi realized someone was under the car, he made announcements for Suspect Marshall to come out. Suspect Marshall yelled, "No. You come and get me. I ain't coming out. Get your dog." Deputy Phillippi saw the canine come out from under the car and then re-engage in the front of the car. Deputy Phillippi described the car as being parked "nose in" in the carport. Deputy Phillippi saw Suspect Marshall kicking at the canine. The canine had control of one of Suspect Marshall's legs and Suspect Marshall kicked at the canine with his other leg. Deputy Phillippi said Suspect Marshall fought the canine "tooth and nail," and he kicked the canine off of his bit. The canine re-engaged Suspect Marshall and started dragging Suspect Marshall out from the parked car.

Deputy Phillippi gave commands for the suspect to come out from the car and to show his hands. Suspect Marshall began to scoot out from the car, as the canine continued to pull him out. Deputy Phillippi and Deputy Paz moved toward the rear of the vehicle, in order to take the suspect into custody. Deputy Phillippi saw Suspect Marshall did not have any weapons in his hands, so he leashed the canine and directed the dog to release his bite. Deputy Paz handcuffed Suspect Marshall without incident.

Deputy Phillippi saw injuries to Suspect Marshall's left ear and both of his legs. Deputy Phillippi was notified after the incident that part of Suspect Marshall's ear was missing, so he returned to the scene to search for it. Deputy Phillippi did not locate the ear.

A review of Deputy Phillippi's Supplemental Report was conducted by IAB investigators. Deputy Phillippi's statements to IAB were consistent with his written report. For more information, see Deputy Phillippi's Supplemental Report **[Exhibit A]**.

SWORN WITNESSES

Deputy **Silvio Paz** was interviewed by IAB Investigators on September 17, 2010 at the IAB offices. The following is a summary of Deputy Paz's interview.

Deputy Paz has worked as a patrol deputy at Lennox Station for approximately two years. On May 19th, 2009, Deputy Paz was assigned to work Unit 34 as the bookman, with his partner, Deputy Lumpkin.

While patrolling near 92nd Street and Budlong Avenue, Deputy Paz saw Suspect Marshall riding a bicycle on the sidewalk without a front light. Deputy Paz and Deputy Lumpkin conducted a traffic stop. Suspect Marshall initially complied by getting off of his bicycle and put his hands up in the air.

As Deputy Paz and Deputy Lumpkin exited their marked patrol vehicle, Suspect Marshall suddenly grabbed his waistband and ran east on 92nd Street, toward Budlong Avenue. Deputy Paz ordered Suspect Marshall to stop, but he did not comply. Deputy Paz followed Suspect Marshall to [redacted] 92nd Street. As Suspect Marshall ran down the driveway, he tossed a handgun toward a wrought iron fence. The handgun hit the fence and dropped to the ground. Suspect Marshall continued running to a fence at the rear of the property. Deputy Paz said he lost sight of Suspect Marshall as he (Marshall) climbed over the fence.

Deputy Paz and Deputy Lumpkin set up a containment and requested a canine response. When the canine deputies arrived, Deputy Paz joined Deputy Phillippi's search team. Deputy Paz's search team checked a property at [redacted] Budlong

Avenue, which consisted of a house in the front of the property and an apartment building in the rear.

Deputy Phillippi made announcements prior to searching the front yard of the property. Deputy Paz checked with the resident of the front house to confirm that no one was supposed to be in the property's yard. At the back apartment building, no one answered the door. Deputy Paz said the yards checked okay.

When the search team reached the carport area, Deputy Phillippi made announcements. There was no reply, so Deputy Phillippi released the canine. Deputy Paz stood behind Deputy Phillippi. Deputy Paz saw a car parked very close to the carport's rear wall, but he could not see well because the carport was very dark. Deputy Phillippi approached the vehicle, but he told Deputy Paz to stay back. Deputy Paz saw Deputy Phillippi was between the carport wall and the car, as he (Phillippi) gave orders to the suspect. Deputy Phillippi told Deputy Paz to retrieve his flex cuffs and cuff the suspect, which Deputy Paz did. Deputy Paz said Suspect Marshall did not resist him when he was handcuffed.

Deputy Paz said he did not see the dog bite Suspect Marshall or the suspect's struggle with the dog. Deputy Paz saw Suspect Marshall's ear was bleeding profusely and his legs appeared to have some injuries because his pants were "shredded."

Deputy Paz said paramedics were standing by and treated Suspect Marshall for his injuries.

A review of Deputy Paz's Incident Report was conducted by IAB investigators. Deputy Paz's statements to IAB were consistent with his written report. For more information, see Deputy Paz's Incident Report **[Exhibit A]**.

Sergeant **Michael Strickland** was interviewed by IAB Investigators on October 25, 2010, at the South Los Angeles Station. The following is a summary of Sergeant Strickland's interview.

Sergeant Strickland said he was a member of the search team with Deputy Phillippi and Deputy Paz. He was unsure of the exact address where the suspect was located, but Sergeant Strickland described the area as a carport.

Sergeant Strickland said he did not see the dog bite Suspect Marshall or the suspect's struggle with the dog because he was standing approximately 15-20 feet away from him. Sergeant Strickland said the suspect had been hiding under a parked vehicle in the carport and his (Strickland's) view was obscured by the vehicle.

When the suspect came into Sergeant Strickland's view, he saw Suspect Marshall had an injury to his ear. Sergeant Strickland said he saw Deputy Paz handcuff Suspect Marshall without incident and the paramedics responded to treat Suspect Marshall within minutes of his apprehension.

SUSPECT STATEMENTS

Prior to the arrival of IAB investigators, Suspect Marshall was interviewed on video at the hospital by SEB Sergeant Anthony Baudino. A CD copy of the interview is attached as **[Exhibit B]**.

For more information, see Suspect Marshall's attached verbatim transcription.

IAB investigators contacted Suspect Marshall while he was being treated at Centinela Hospital on May 19, 2010. Suspect Marshall refused to speak to investigators.

INJURIES

Suspect Marshall was treated at Centinela Hospital by ER Doctor Torabi for an avulsion to his left calf, lacerations to left knee and back of head, and a torn left ear. He was given staple sutures on his head. At the time of his treatment, he was assigned Patient #V00860156791.

Photographs of Suspect Marshall's injuries were taken by IAB investigators and are included as **[Exhibit C]** and **[Exhibit D]**.

INVESTIGATOR'S OBSERVATIONS

At the time of the Force and Shooting Response Team's arrival, the use of force incident was concluded and Lennox Station personnel had not preserved the crime scene. IAB investigators did not respond to the crime scene therefore, there are no IAB observations of the location of this incident. Lennox Station Sergeant April Carter provided IAB Investigators with photographs of the location approximately 8 hours after the incident concluded and are included as **[Exhibit C]**.

CRIMINAL INVESTIGATOR and CHARGES FILED
Investigator: Operation Safe Streets Detective Mc Donagh

Charges Filed: Suspect Marshall was charged with one Felony Count of 12021(a)(1) PC. His preliminary hearing is scheduled for November 8, 2010, at Inglewood Court.